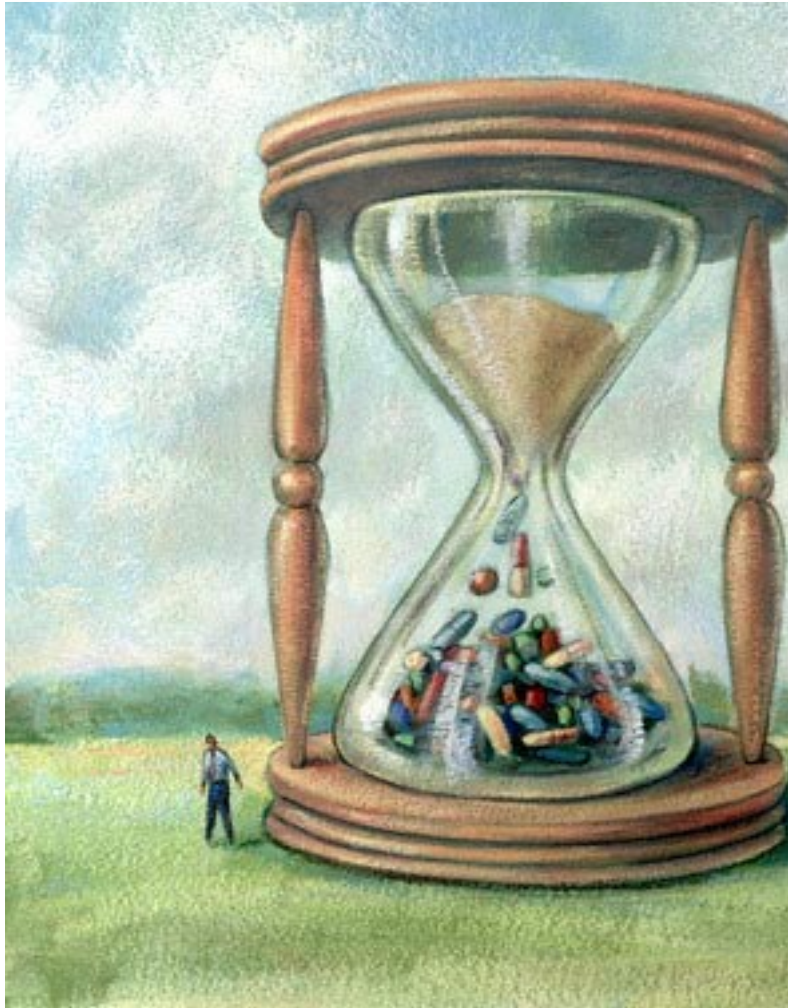


# Select Committee Hearing on Alcohol and Substance Abuse



The Justin Foundation

12/10/2007

My name is Cathie Smith. First and foremost -- I am a mom! I live in Danville, California and I raised my family in Contra Costa County. I am also a small business owner -- and the founder and president of The Justin Foundation, a non-profit organization established to facilitate consumer education and protection for individuals who need treatment for substance abuse.

As a consumer advocate, I appreciate the development of this Select Committee to study treatment of Alcohol and Substance Abuse in California and I thank you for allowing me to testify here today.

Seven years ago, my 22-year old son died in an accident while residing at a facility for substance abuse treatment. Due to a legal settlement, I am limited in what I can say about the accident. At that time, California did not have ANY regulation regarding the education or training of substance abuse counselors. One of the counselors who was with my son at the time of his accident had been sober for two weeks. Had the facility followed its own rules, or had better monitoring by the state, my son might be alive today.

The Justin Foundation was founded to help raise the standards of care so that people entering residential treatment facilities would be assured safety and a meaningful chance for help.

The Justin Foundation recently released a report entitled, "The War on Addiction". Members of the Committee have each been provided with a copy of the report and we brought extra copies should you want them.

Through the public records act, The Justin Foundation obtained and reviewed 7 years of investigations of substance abuse treatment centers, as conducted by the California Department of Alcohol and Drug Programs (ADP). What we found shocked even those who have been in the industry for most of their adult lives.

Our report shows that inadequate regulation and standards have allowed unskilled and unethical substance abuse counselors to harm their clients and hamper the recovery of the people they were supposed to help.

Of the 67 rehab patient deaths investigated by the ADP between 2000 and 2006, staff failures played a role in 40 percent of them; Not intentionally, or maliciously, but due to lack of proper education, training and supervision.

Our report outlines many examples of cases that resulted in tragic conclusions, which will no doubt be of interest to you on the committee, so we will leave it to you to read those cases on your own. We do, however, want to stress that time is critical. Every day that passes without improvement to the current system, is another day that an accident is waiting to happen.

Figures provided to The Justin Foundation by The Department of Alcohol and Drug Programs, indicate a 54% increase in new complaints received between the fiscal year of 1999-2000 (212) and 2006-2007 (327). Tracking for counselor misconduct was not begun until 2005-2006; however, it is noteworthy that complaints against counselors where allegations were confirmed almost doubled between that fiscal year and the following fiscal year. Subsequent to our report -- there have been 12 new deaths reported in the fiscal year 2006 -- 2007.

There is currently no way for us --- the consumer --- to know which facilities to trust when we seek treatment for our loved ones or ourselves. As a result, we can find ourselves at the mercy of unscrupulous providers, incompetent counselors and inexperienced staff.

The Department of Alcohol and Drug Programs has repeatedly told us that we need to be patient – that it took over 25 years to get the current regulations approved. As a consumer, I find this timeframe appalling and unacceptable. I believe if you had a loved one needing treatment right now, you would agree.

For decades, our country and our state have been waging a war on drugs. But our leaders HAVE NOT provided the oversight or the focus on quality of care to effectively battle the disease of addiction.

We need change -- and we need it now. An immediate, interim fix would be to require every facility to employ a professional licensed by the State of California and monitored by the Board of Behavioral Sciences (i.e. LCSW, MFT, Psychologist) with the appropriate background to supervise unlicensed workers until solutions to better educate and train the current work force can be researched, developed and implemented.

We urge this Select Committee to help ensure that every treatment facility for substance abuse is a SAFE place for recovering from the disease of addiction, where patients can receive MEANINGFUL evidence-based treatment.

Thank you for your attention. I am available for any questions you may have about the report.

Respectfully Submitted,

Cathie Smith

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